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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,661	12/14/2001	Kenichi Numata	111470	4875

25944 7590 10/06/2004

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P.O. BOX 19928  
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EXAMINER
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BURGE, LONDRA C

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/014,661	<b>Applicant(s)</b> NUMATA ET AL.	
	<b>Examiner</b> Londra C Burge	<b>Art Unit</b> 2178	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This action is responsive to communications: Original application filed 12/14/2001.
2. Claims 1-8 are pending. Claims 1, 2, 3 and 6 are independent claims.

***Priority***

3. **Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10/014661, filed on 12/14/2001.**

***Claim Rejections - 35 USC § 103***

4. **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1, 2, 4, 5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rivette et al. (herein after Rivette) U.S. Patent No. 6,014,663 filed 4/10/1998 in view of Aoyama et al. (herein after Aoyama) U.S. Patent No. 6,526,410 B1 filed 6/27/2000.**

**In regard to independent claim 1, Rivette discloses *a decomposition part that decomposes an inputted structured document into plural partial structures in accordance with a setting and generating a relation between the partial structures as first structural information* (Rivette Col 1 Lines 44-55 and Col 2 Lines 20-64); *a structural information registration part that generates a relation between elements in the partial structure for each of the partial***

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*structures decomposed by the decomposition part as second structural information so that a depth-first node order is assigned to each of the elements in the partial structure (Rivette Col 2 Lines 20-32); and an information retaining part that retains the first structural information generated by the decomposition part and the second structural information generated by the structural information registration part. (Rivette Col 2 Lines 40-53)*

Rivette does not specifically mention *a maximum node order of node orders of elements below the element is associated with the element*. However, Aoyama mentions nodes that are used (Aoyama Col 4 Lines 1-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Aoyama to Rivette, providing Rivette the benefit of ordering the document structure using nodes to ensure there is a relationship between the primary document and the partial document.

**In regard to independent claim 2,** Rivette discloses *decomposing an inputted structured document into plural partial structures in accordance with a setting and generating a relation between the partial structures as first structural information (Rivette Col 1 Lines 44-55 and Col 2 Lines 20-64); generating a relation between elements in the partial structure for each of the decomposed partial structures as second structural information so that a depth-first node order is assigned to each of the elements in the partial structure (Rivette Col 2 Lines 20-32); and retaining the first structural information and the second structural information and managing the structured document. (Rivette Col 2 Lines 40-53)*

Rivette does not specifically mention *a maximum node order of node orders of elements below the element is associated with the element*. However, Aoyama mentions nodes that are used (Aoyama Col 4 Lines 1-67). It would have been obvious to one of ordinary skill in the art at

the time of the invention to apply Aoyama to Rivette, providing Rivette the benefit of ordering the document structure using nodes to ensure there is a relationship between the primary document and the partial document.

**In regard to dependent claim 4**, Rivette discloses *wherein the structure search part does not perform determination using the second structural information when the element included in the ancestor partial structure is an element, which is the root of the ancestor partial structure.* (Rivette Col 6 Lines 50-55 and Col 16 Lines 21-34)

**In regard to dependent claim 5**, Rivette discloses *wherein, when two elements are included in the same partial structure, the structure search part uses the second structural information to determine an ancestor-descendant relation there between.* (Rivette Col 6 Lines 50-55 and Col 16 Lines 21-34)

**In regard to dependent claim 7**, claim 7 reflects similar subject matter as claimed in claim 4 and is rejected along the same rationale.

**In regard to dependent claim 8**, claim 8 reflects similar subject matter as claimed in claim 5 and is rejected along the same rationale.

6. **Claims 3 and 6 and are rejected under 35 U.S.C. 103(a) as being unpatentable over Rivette et al. (herein after Rivette) U.S. Patent No. 6,014,663 filed 4/10/1998 in view of Nasr et al. (herein after Nasr) U.S. Patent No. 6,263,332 B1 filed 8/14/1998.**

**In regard to independent claim 3**, Rivette discloses *an information retaining part that retains first structural information showing a relation between plural partial structures obtained by decomposing a structured document in accordance with a setting and second structural*

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*information showing a relation between elements in the partial structure for each of the partial structures (Rivette Col 1 Lines 44-55 and Col 2 Lines 20-64); and a structure search part that determines by the first structural information an ... relation between the partial structures including elements, and if the partial structures are in an ... relation, determines by the second structural information an ... relation between an element which is located on a path from an ... partial structure to a descendant partial structure and is a ... partial structure of the ...partial structure and an element included in the ... partial structure. (Rivette Col 6 Lines 50-55 and Col 16 Lines 21-34)*

Rivette does not specifically mention *an ancestor-descendant relation and a root of a child*. However Nasr mentions a parent child relationship between documents and nodes (Nasr Col 13 Lines 39-42). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Nasr to Rivette, providing Rivette the benefit of having a parent child relationship to ensure there is a relationship between the primary document and the partial document.

**In regard to dependent claim 6**, claim 6 reflects similar subject matter as claimed in claim 3 and is rejected along the same rationale.

### ***Conclusion***

**7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.**

Pratt et al.	U.S. Patent No. 6,772,141 B1	issued	8/3/2004
Murata	U.S. Patent No. 5,475,805	issued	12/12/1995

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Londra C Burge whose telephone number is (571) 272-4122.

The examiner can normally be reached on 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, DC 20231

**Or faxed to:**

(703) 746-7239 (for formal communications intended for entry)

**Or:**

(703) 746-7240 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

**Or:**

(703) 746-7238 (for after-final communications)

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Fourth Floor (Receptionist).**

Londra Burge  
9/29/04



**STEPHEN S. HONG  
PRIMARY EXAMINER**